

AMENDATORY SECTION (Amending WSR 02-19-019, filed 9/9/02, effective 10/10/02)

**WAC 308-48-010 Definitions.** For the purpose of these rules, the following term(~~(s)~~) will be construed as follows:

~~((1) "Licensee" will mean any person or entity holding a license, registration, endorsement, or permit issued by the director.~~

~~(2))~~ "In its employ" as used in RCW 18.39.148 will include personnel who are employed on a part-time basis as well as personnel who are employed on a full-time basis.

AMENDATORY SECTION (Amending WSR 97-21-061, filed 10/14/97, effective 11/14/97)

**WAC 308-48-030 Care of human remains.** (1) Funeral establishments, funeral directors, embalmers, ~~((apprentices))~~ interns, employees or agents while providing for the care and handling of human remains shall:

(a) Comply with all applicable Washington state laws, rules and regulations related to health or the handling, transportation or disposition of human remains.

(b) Not perform any act which will tend to affect adversely the dignity, individual integrity or the respectful and reverential handling and burial or other customary disposition of human remains.

(c) Upon receipt of the human remains, obtain the identity of the human remains as established by the institution, agency, or individual releasing the remains(~~(-~~

~~(d))~~ and place an identification bracelet or tag on the ankle or wrist of the remains. In the case of a remains that must be placed in a protective pouch due to the condition of the remains, an identification bracelet or tag should be placed inside the pouch and a second bracelet or tag attached to the exterior of the pouch.

~~((e))~~ (d) Follow the directions of the individual or individuals that has/have the right to control the disposition of the human remains.

~~((f))~~ (e) Record and maintain the following information:

(i) Name of deceased;

(ii) Date of death;

(iii) Place of death;

(iv) Name and relationship of person(s) having the right to control the disposition;

(v) Date and time of receipt of remains;

(vi) Date and time of refrigeration and/or embalming;

(vii) Method, date and location of disposition.

~~((g))~~ (f) Not separate any organs, viscera or appendages of a human remains from any other portion of the remains for a separate or different disposition. The entire noncremated human remains that the funeral establishment has received and has possession of must be maintained and disposed of as one entity.

~~((h))~~ (g) Provide refrigerated holding of a human remains for which embalming has not been authorized. In addition to these regulations, the handling and refrigeration of human remains shall be governed by chapter 246-

500 WAC.

(2) The care and preparation for burial or other disposition of all human remains shall be private. No one shall be allowed in the embalming or preparation rooms while a human remains is being embalmed or during the course of an autopsy except the licensee, his authorized employees, and public officials in the discharge of their duties. This rule shall not apply to duly authorized medical personnel employed in a case(~~((, nor to members of the immediate family of the deceased))~~) or those authorized to be present by the decedent's next of kin.

(3) Every licensee shall provide a written itemization of any property, money, jewelry, possessions or other items of significant value found on a human remains in the licensee's care, custody or control to the decedent's next of kin or the proper authorities.

AMENDATORY SECTION (Amending WSR 02-19-019, filed 9/9/02, effective 10/10/02)

**WAC 308-48-031 Funeral establishment facility, equipment, and embalming and preparation room standards.** A funeral establishment or branch establishment shall:

(1) Have an exclusive area/office at an identified location for conducting the business which is accessible to the public.

(2) Provide private and secure area(s) for holding human remains which will include:

(a) A mechanically or commercially acceptable refrigerated holding area of adequate capacity for unembalmed remains with a maximum temperature of 48 degrees Fahrenheit or as determined by chapter 246-500 WAC;

(b) A sink with hot and cold running water;

(c) Covered receptacles for soiled linens, bandages, refuse and other waste materials which meet OSHA, WISHA, department of health and any other applicable regulations;

(d) Adequate chemicals for the disinfection of human remains and the equipment used in handling and caring for human remains;

(e) Chemical storage that meets OSHA, WISHA, department of health and any other applicable regulations.

(3) Provide rest rooms that are available for staff and the public.

(4) In the case where the holding of human remains is not provided at this facility, provide the identification of the facility upon request to the board and the individual or individuals that has/have the right to control the disposition of the human remains where this establishment or branch provides for the holding and/or preparation of the human remains entrusted to its care (this off-site facility must meet the requirements of subsection (2) of this section).

(5) Provide for the privacy of uncasketed human remains in vehicles used for transportation of the remains by screening, curtains, or adequately tinted windows.

(6) Provide that if embalming is performed at the establishment or branch, no embalming of a human remains shall be performed in a funeral establishment or branch establishment except in a room set aside exclusively for embalming of a human remains. Such room shall be maintained and kept in a clean sanitary condition, and every embalming and preparation room shall be constructed, equipped, and maintained as follows:

(a) The surfaces of the floor, walls, and ceiling shall be covered with tile or other hard, smooth, impervious washable material.

(b) The room shall be adequately lighted and adequately ventilated.

The ventilation shall be provided by an exhaust fan (~~((or by an appropriate air conditioning unit))~~).

(c) The room shall be equipped and provided with hot and cold running water, a utility sink, and cabinets, closets or shelves for instruments and supplies.

(d) The room shall be equipped with adequate sewage and waste disposal and drainage facilities and systems and comply with OSHA/WISHA standards.

(e) The doors shall be tight closing and rigid and any windows of the room shall be so maintained as to obstruct any view into such room. The room's entry door(s) must be labeled "Private" or "Authorized Entry Only," and must be locked at all times.

(f) The embalming or preparation table shall be nonporous.

(g) The room shall be equipped with proper and convenient covered receptacles for refuse.

AMENDATORY SECTION (Amending WSR 02-19-019, filed 9/9/02, effective 10/10/02)

**WAC 308-48-040 Control of human remains.** (~~((1))~~) No licensee will, directly or indirectly, assume control of any human remains without having first obtained authority from the person(s) (~~((, their responsible representatives, or persons lawfully entitled to such control.~~

~~((2)) A licensee in charge of human remains will be governed by the directions of those lawfully entitled to such control))~~ having the right to control the disposition of the human remains under RCW 68.50.160, as to matters relating to the preparation, handling and final disposition of the human remains (including steps in preparation, autopsy, embalming, dressing, viewing, videotaping, photographing; funeral, burial and cremation merchandise, and disposition arrangements.

AMENDATORY SECTION (Amending Rule 8, filed 9/17/64)

**WAC 308-48-080 Improper use of license.** No (~~((license))~~) licensee shall lend, place, permit ((to be placed)) or authorize the placement of his/her license in any establishment ((of)) or place of business unless ((he be)) the licensee is an owner, part owner or bona fide employee of such place of business, nor shall ((he lend his license (or any copy thereof) for use by any establishment or place of business in which he has no such interest, nor shall he suffer any)) a funeral establishment or place of business to pretend or represent that it is legally qualified to perform funeral directing or embalming by any such improper use of his/her license.

AMENDATORY SECTION (Amending WSR 97-21-062, filed 10/14/97, effective 11/14/97)

**WAC 308-48-150 Course of training--((Apprentice)) Funeral director intern.** (1) For the purposes of RCW 18.39.035, the term "one year course of training" shall include assisting a licensed funeral director in coordinating all aspects of at least twenty-five arrangements for funeral, memorial and/or final disposition services for human remains.

(2) The term "one year" shall consist of at least eighteen hundred hours of employment and cannot be completed in a period of time less than one calendar year.

(3) Registered ((apprentice)) funeral director((s)) interns shall provide a quarterly report to the board on a form supplied by the board containing information relating to the arrangements, services, final dispositions, and other duties of a funeral director the ((apprentice)) intern has assisted with or performed during the required term of ((apprenticeship)) internship.

(4) Licensed sponsors shall provide a quarterly report to the board on a form supplied by the board showing the progress of the ((apprentice)) intern toward the skill level required to work independently.

(5) Registered apprentice funeral director((s)) interns may receive training from their sponsor and other licensed funeral directors as approved by the sponsor.

AMENDATORY SECTION (Amending WSR 97-21-062, filed 10/14/97, effective 11/14/97)

**WAC 308-48-160 Course of training--((Apprentice)) Embalmer((s)) interns.** (1) For the purposes of RCW 18.39.035, the term "two year course of training" shall include the embalming of at least fifty human remains under the supervision of a licensed embalmer.

(2) The term "two year" shall consist of at least thirty-six hundred hours of employment and cannot be completed in a period of time less than two calendar years.

(3) Registered ((apprentice)) embalmer((s)) interns shall provide a quarterly report to the board on a form supplied by the board containing information relating to the embalmings the ((apprentice)) intern has assisted with or performed during the required term of ((apprenticeship)) internship.

(4) Licensed sponsors shall provide a quarterly report to the board on a form supplied by the board showing the progress of the ((apprentice)) intern toward the skill level required to work independently.

(5) Registered apprentice embalmer((s)) interns may receive training from their sponsor and other licensed embalmers as approved by the sponsor.

AMENDATORY SECTION (Amending WSR 02-19-019, filed 9/9/02, effective 10/10/02)

**WAC 308-48-180 Renewal of licenses, registrations, endorsements and permits.** (1) The annual license or registration renewal date for embalmers, funeral directors and ~~((apprentices))~~ interns is the licensee's birth date. Individuals making application and fulfilling requirements for initial license and examination will be issued a license or registration, which will expire on their next birth date.

(2) ~~((Funeral establishments, branch establishments, prearrangement sales licenses, and crematories must renew their licenses))~~ All licensees, with the exception of academic intern, must renew annually.

(3) Before the expiration date of the license, the director will mail a notice of renewal. The licensee must return such notice along with current renewal fees prior to the expiration of the license. Failure to renew the license prior to the expiration date will require payment of the penalty fee.

AMENDATORY SECTION (Amending WSR 02-19-019, filed 9/9/02, effective 10/10/02)

**WAC 308-48-200 Report of ~~((apprenticeship))~~ internship registration, termination, transfer and credit.** (1) The responsibility for notifying the director, department of licensing of ~~((apprenticeship))~~ internship registration and termination rests with the employing funeral establishment. In order to protect the status of the ~~((apprentice))~~ intern in cases where the employing licensee fails to initiate the required report of registration or termination, the affected ~~((apprentice))~~ intern should initiate and ensure submission of same. The notification shall be certified by signature of the sponsor.

(2) No credit for ~~((apprenticeship))~~ internship will be allowed for any period during which the ~~((apprentice))~~ intern is not registered pursuant to RCW 18.39.120. In the event an ~~((apprentice's))~~ intern's sponsor dies or is otherwise incapable of certifying ~~((apprenticeship))~~ internship credit, such credit may be given by certification by another licensed funeral director or embalmer who has knowledge of the work performed and the credit due or by documentation or reasonable proof of such credit as determined by the board.

AMENDATORY SECTION (Amending WSR 02-19-019, filed 9/9/02, effective 10/10/02)

**WAC 308-48-210 Establishment licensure.** (1) It is the intent of the board that the establishment licensure process serve to protect consumers by identifying to the department all locations subject to regulation. Any provider of any aspect of the care, shelter, transportation, embalming, other preparation and arrangements for the disposition of human remains must be licensed as a funeral establishment. Establishments must obtain a funeral establishment or branch license for each location.

(2) Branches of an establishment may operate under the general license

of the establishment, pursuant to RCW 18.39.145 and 18.39.148 and the following terms and conditions:

- (a) Branch(es) must operate under the same name as the establishment.
- (b) Branch(es) must display a current branch license.
- (c) Branch(es) must have a licensed funeral director (~~((and embalmer))~~) in its employ and available to provide any services requiring the professional skills of a licensee.
- (d) The failure of a branch to meet the standards of an establishment may result in cancellation of the establishment license, pursuant to RCW 18.39.148.

AMENDATORY SECTION (Amending WSR 02-19-019, filed 9/9/02, effective 10/10/02)

**WAC 308-48-350 AIDS prevention and information education requirements.**

(1) Definitions.

(a) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(b) "Office on AIDS" means that section within the department of social and health services or any successor department with jurisdiction over public health matters as defined in 70.24 RCW.

(2) Renewal of funeral director and/or embalmer licenses or (~~((apprenticeship))~~) internship registrations, and all persons making initial application for funeral director and/or embalmer licensure, or initial renewal of funeral director and/or embalmer (~~((apprenticeship))~~) internship registration must submit evidence to show compliance with the education requirements of subsection (3) of this section.

(3) AIDS education and training.

(a) Acceptable education and training. The board will accept education and training that is consistent with the model curriculum available from the office on AIDS. Such education and training must be a minimum of four (~~((and one-half))~~) clock hours and must include, but is not limited to, the following: Prevention, transmission and treatment of AIDS.

(b) Implementation. The requirement for initial funeral director and/or embalmer licensure, the first renewal of a funeral director and/or embalmer (~~((apprenticeship))~~) internship registration, or reinstatement of any license or (~~((apprenticeship))~~) internship registration on lapsed, inactive, or disciplinary status will include evidence of completion of an education and training program, which meets the requirements of subsection (a).

(c) Documentation. The applicant must:

(i) Certify, on forms provided, that the minimum education and training has been completed;

(ii) Keep records for five years documenting attendance and description of the learning;

(iii) Be prepared to validate, through submission of these records, that attendance has taken place.

(4) Continuing education. The AIDS education requirement may be counted towards the fulfillment of the continuing education requirement.

AMENDATORY SECTION (Amending Order PL 504, filed 12/19/84)

**WAC 308-48-510 Continuing education requirements--Purpose.** Continuing education activities, approved by the board of funeral directors and embalmers, shall be required as a condition of renewal of funeral director and embalmer licenses and of ~~((apprentice))~~ funeral director intern and ~~((apprentice))~~ embalmer intern registration, in order to maintain and improve the quality of their services to the public.

AMENDATORY SECTION (Amending WSR 02-19-019, filed 9/9/02, effective 10/10/02)

**WAC 308-48-520 Effective date of continuing education requirement.** The effective date of the continuing education requirement will be two years after initial licensure as a funeral director and/or embalmer, or initial registration as ~~((an apprentice))~~ a funeral director intern and/or embalmer intern.

AMENDATORY SECTION (Amending Order PL 504, filed 12/19/84)

**WAC 308-48-530 Continuing education basic requirement--Amount.** (1) Every individual licensed as a funeral director and/or embalmer or registered as a funeral director intern and/or embalmer intern, shall be required to complete ten hours of approved continuing education every two years as a condition of renewal of such licenses or registrations.

(2) ~~((Every individual registered as an apprentice funeral director and/or apprentice embalmer shall be required to complete ten hours of approved continuing education every two years as a condition of renewal of such registration.~~

~~((3)))~~ Continuing education credits in excess of the required hours earned in any renewal period may not be carried forward to a subsequent renewal period.

~~((4)))~~ (3) The department shall not renew a license or registration or issue a new license or registration to any person who has failed to submit evidence of completion of ten hours of approved continuing education for the prior two-year period.

AMENDATORY SECTION (Amending Order PM 697, filed 12/9/87)

**WAC 308-48-550 Continuing education reporting requirement.** (1) The licensee or registrant shall submit an affidavit certifying compliance with the continuing education requirement on the form provided by the board. The affidavit shall be submitted with license or registration renewal fee every two years.

(2) A material misstatement of information on the continuing education report shall be grounds for disciplinary action(~~(, including nonrenewal, suspension or revocation of license or registration))~~).

AMENDATORY SECTION (Amending Order PM 697, filed 12/9/87)

**WAC 308-48-590 Qualification for board approval of continuing education activities.** (1) In order for a continuing education activity to qualify for board approval, the following qualifications must be met:

(a) The activity must contribute directly to the professional competency of the licensee or registrant;

(b) The activity must relate to the practice of mortuary science or, for a registrant, be a course required for initial licensure;

(c) The activity must be conducted by individuals who are considered by the board to be knowledgeable in the subject matter of the program by virtue of education, training, or experience.

(2) The board may approve as continuing education activities courses, lectures, seminars, correspondence or homestudy programs, or other instructional programs which meet the above qualifications and which the board determines would be beneficial in improving the knowledge or service capability of licensees and registered (~~(apprentices)~~) interns.

AMENDATORY SECTION (Amending Order PL 561, filed 10/17/85)

**WAC 308-48-780 Crematories--Inspections.** Crematories regulated under the authority of chapter 18.39 RCW are subject to inspection at least once each year by the inspector of funeral directors and embalmers to ensure compliance with Washington state laws and regulations related to health or the handling or (~~(disposal)~~) disposition of human remains.

AMENDATORY SECTION (Amending WSR 05-20-076, filed 10/4/05, effective 11/4/05)



WAC 308-48-800 Funeral director/embalmer fees. The following fees shall be charged by the professional licensing division of the department of licensing:

<b>Title of Fee</b>	<b>Fee</b>
Embalmer:	
State examination or reexamination	\$100.00
Renewal	70.00
Late renewal penalty	35.00
Duplicate	15.00
<del>((Certification</del>	<del>25.00))</del>
Embalmer intern:	
Intern application	75.00
Intern renewal	45.00
Duplicate	15.00
<del>((Certification</del>	<del>25.00))</del>
Funeral director:	
State examination or reexamination	100.00
Renewal	70.00
Late renewal penalty	35.00
Duplicate	15.00
<del>((Certification</del>	<del>25.00))</del>
Funeral director intern:	
Intern application	75.00
Intern renewal	45.00
Duplicate	15.00
<del>((Certification</del>	<del>25.00))</del>
Funeral establishment:	
Original application	300.00
Renewal	150.00
Branch registration	250.00
Branch renewal	150.00
Preneed application	140.00
Preneed renewal:	
0-25 sales	25.00

26-99 sales	75.00
100 or more sales	125.00
Crematory endorsement registration	140.00
Crematory endorsement renewal ((3.20 per cremation performed during previous calendar year.	
Academic intern	No fee
Certificate of removal registration:	
Application	30.00
Renewal	15.00

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-48-110

Revocation of license.